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TAGS: [PREL](#) [PGOV](#) [PHUM](#) [KDEM](#) [EAID](#) [AJ](#)
SUBJECT: PRESIDENTIAL CHIEF OF STAFF RAMIZ MEHDIYEV PLEDGES
FREE AND FAIR ELECTIONS

REF: 07 BAKU 1358

Classified By: Ambassador Anne E. Derse per 1.4 (b,d).

11. (C) Summary: In a March 3 meeting, the Ambassador reviewed with Presidential Chief of Staff Ramiz Mehdiyev the criteria the U.S. would consider as it evaluates Azerbaijan's October presidential election. She also briefed Mehdiyev on the planned USD 3 million in election-related assistance activities, including a parallel vote tabulation administered by the Election Monitoring Center (EMC) and an election observation mission organized by the European Network of Election Monitoring Organizations (ENEMO). Mehdiyev affirmed that Azerbaijan seeks to hold a "free, fair and transparent" presidential election in October and said that GOAJ has developed an action plan to support this goal. Mehdiyev said the GOAJ needed time to "study and evaluate" the "new technologies" planned by the U.S. but said he welcomed the opportunity to have a regular dialogue with the Ambassador on election-related issues. Mehdiyev castigated the international community for "double standards" in its assessment of elections in Georgia, Armenia and Azerbaijan; he argued that Azerbaijani is a strategic partner of the U.S. and wants to be treated as such. The Ambassador urged the GOAJ to do more on media freedom, highlighting the cases of jailed Azadliq editor Ganimat Zahid and the tax investigation of independent printing house Chap Evi. End summary.

12. (SBU) The Ambassador met Presidential Chief of Staff Ramiz Mehdiyev on March 3 to review the criteria the U.S. would consider as it evaluates Azerbaijan's October presidential election and to review the planned USD 3 million in election-related assistance. The Ambassador and Mehdiyev also discussed the GOAJ's planned revisions to its anti-money laundering/counter-terrorist finance legislation, due to be presented to Parliament later this month (septel). Mehdiyev was accompanied by Presidential Advisors Novruz Mammadov, Ali Hasanov, Shahin Aliyev, Fuad Alasgarov and Elnur Aslanov; the Ambassador was accompanied by the DCM and Pol/Econ Chief (notetaker).

STRONG DEMOCRACIES MAKE STRONG PARTNERS

13. (C) The Ambassador stressed to Presidential Chief of Staff Ramiz Mehdiyev the importance of the conduct of Azerbaijan's October 2008 presidential election both to Azerbaijan's future and to the future of the bilateral relationship. It is in the U.S. interest, she said, to see Azerbaijan live up to its potential as a regional leader; as Assistant Secretary Fried told Mehdiyev last year, strong democracies make the strongest partners (ref). The Ambassador thanked Mehdiyev for the GOAJ's registration of the independent Election Monitoring Center; this was a positive and progressive step that is a sign of the GOAJ's readiness to work with election observers.

14. (C) The Ambassador said that the U.S. shares Azerbaijan's goal of holding the most free and fair elections in its history and is offering more than USD 3 million in technical assistance to help create the conditions necessary for a free and fair election. In the spirit of transparency and partnership, the U.S. also seeks to share with Azerbaijan the elements it will evaluate as we assess the conduct of the elections. The Ambassador noted that A/S Fried had already shared these elements with Foreign Minister Mammadyarov.

NEW U.S. ELECTION ASSISTANCE

15. (C) Turning to the specifics of the planned election assistance programs, the Ambassador noted that the bulk of the assistance draws on existing programs that support

technical training for election commissions and strengthen grassroots party-building activities. The U.S. plans to launch two major new initiatives: a parallel vote count conducted by the Election Monitoring Center (EMC) and an election observation mission by the European Network of Election Monitoring Organizations (ENEMO). When Mehdiyev interjected that he "doesn't have any information about ENEMO," Presidential Political Advisor Ali Hasanov whispered to him that ENEMO had conducted monitoring in Georgia and Ukraine. A fleeting sign of worry crossed Mehdiyev's brow.

16. (C) The DCM explained that ENEMO is an election monitoring network of citizens from all over Eastern Europe

and the former Soviet Union, with wide experience in monitoring elections in Eastern Europe, Moldova, Georgia and Central Asia. The DCM argued that ENEMO could be even more effective than the OSCE/ODIHR observers, as they understand the unique background, history, electoral practice and language of the former Soviet Union. The Ambassador noted that a robust election monitoring mission - including ODIHR and ENEMO both - would help ensure the credibility of Azerbaijan's election results.

17. (C) The DCM said that the U.S. planned to fund a parallel vote tabulation (PVT), instead of an exit poll, as previous experience - including in the United States - had indicated that a PVT was more accurate than an exit poll. The DCM explained that EMC observers - along with all other observers in individual polling stations - would be present during the official vote count. As each precinct election commission finishes its count and prepares the official election protocol, EMC observers also will record the vote count information and separately submit this to the EMC office in Baku, which will post the information to a website in real-time. The DCM noted that the PVT offers more transparency for Azerbaijani citizens and will give instantaneous information of any vote-count problems. Noting that Presidential Political Advisor Ali Hasanov had briefed Embassy officials on the GOAJ's plans to collect and report election results early, the DCM said that the EMC PVT would help address any concerns about the accuracy of official results. Having listened intently to this explanation, Mehdiyev asked whether EMC observers would be present in every precinct, and whether PVT's had been used in other Caucasus countries. The Ambassador answered affirmatively to both, noting that PVT's had not been used in Armenia and repeating that a PVT would help strengthen the legitimacy of Azerbaijan's election.

18. (C) After listening to whispered advice from Presidential Legal Advisor Shahin Aliyev, Mehdiyev noted that the GOAJ has not begun the "active campaign season" yet but has already developed an action plan -- titled "Transparent Elections" -- outlining steps to be taken to fulfill President Aliyev's goal of holding a free, fair and transparent election. Mehdiyev said the GOAJ will deploy "all means" to ensure that Azerbaijan holds free and fair elections. With the October election, Azerbaijan seeks to demonstrate to the whole world that it is integrating into western institutions and advancing its democratic goals. Azerbaijan is at a turning point in its history and, over the next five years, will pursue economic and democratic development in parallel, with the goal of furthering its stability. The GOAJ's election action plan, Mehdiyev said, reflects this idea. Azerbaijan needs to demonstrate that it is different from its neighbors; by holding "progressive, democratic elections," it can do precisely this. And "we are fully capable of this," Mehdiyev said. "You can be confident that Azerbaijan's election will be conducted in a normal democratic manner, even though the 'radical opposition' may not agree with the results."

GOAJ PLAN FOR TRANSPARENT ELECTIONS

19. (C) Mehdiyev said the GOAJ needs time to "study and evaluate" the "election technologies" planned by the U.S., but stressed that the GOAJ is "ready to cooperate" on election-related issues. He added that the GOAJ wants to ensure EMC has an active role in monitoring elections. Mehdiyev pledged to have regular election-related meetings with the Ambassador, adding with a smile that he wants the Ambassador to be able to report to Washington that Azerbaijan held democratic elections. At the same time, Mehdiyev continued, the GOAJ must put its best effort into preserving stability. It is imperative that no badly-wrought statements or actions disrupt the elections. The Ambassador responded that it is positive that the GOAJ understands the election is an opportunity to strengthen Azerbaijan, its role in the region, and its partnership with the U.S. Noting that President Aliyev had recently reaffirmed Azerbaijan's commitment to democratic development in public remarks at the ANS TV awards ceremony, the Ambassador said the GOAJ had already taken some steps toward improving the pre-election environment: pardoning five journalists in December 2007; registering EMC; and working to amend the electoral code and the law on freedom of assembly to bring them into compliance with recommendations made by the Council of Europe (COE). These steps indicate that Azerbaijan understands the importance of the pre-election environment to a free and fair

election, not just the activities that occur on election day.

110. (C) Mehdiyev noted that the GOAJ has been working intensively with the COE's Venice Commission on improvements to Azerbaijan's electoral code and law on freedom of assembly. Shahin Aliyev said the GOAJ had finished its round of consultations with the Venice Commission and planned to present the new draft legislation to Parliament this month. Mehdiyev said the Venice Commission indicated that the new draft law on freedom of assembly meets international requirements for freedom of assembly.

U.S. CRITERIA TO ASSESS THE ELECTION

111. (C) Reiterating that a free and fair presidential election will help strengthen the bilateral relationship, the Ambassador shared with Mehdiyev the list of criteria the U.S. would consider as it evaluated the conduct of the October election. She stressed that this was not a list of demands or requirements but instead was a list of the elements necessary to create the conditions for a good election. The U.S. was sharing this in the spirit of transparency and cooperation, and had already provided a copy of the document to Foreign Minister Mammadyarov. Mehdiyev said he would translate and review the document.

112. (C) The Ambassador highlighted the key criteria outlined in the paper. First, President Aliyev had issued excellent decrees in 2005 that laid out the conditions necessary for good elections. The Presidential decree regarding noninterference by local officials in the conduct of the elections was particularly important. The Ambassador also urged the GOAJ to consider a moratorium on criminal libel cases, as a strong sign of the GOAJ's commitment to improving the media environment in the run-up to the election. In addition to the GOAJ's proposed changes to the law on freedom of assembly, the Ambassador also urged the GOAJ to allow political parties to hold public meetings in the center of Baku, and other cities, to freely express their views. She noted that the U.S., working with the OSCE, would provide training on proper crowd control methods. The Ambassador said that a strong election observation mission, and equal access to the media for all registered candidates also were important elements that the U.S. would consider as it evaluates the conduct of the presidential election.

113. (C) Mehdiyev thanked the Ambassador for this explanation and said that he would like to meet again after he had a chance to review the paper in greater detail. He underscored that the GOAJ understands the October election should be democratic and transparent: "that's our goal." It's very important, Mehdiyev continued, that the international community, including the U.S. Embassy, provide an objective assessment of the election. He agreed that there had been problems in previous elections, yet argued that Azerbaijan had been subjected to unduly harsh standards in the "political evaluation" of the elections. Mehdiyev asserted that international organizations were operating under "political instructions" when they evaluated Azerbaijan's previous elections. In 2003, for example, Georgia's President Saakashvili was elected with 96 percent of the vote in an election that was hailed by the international community as free and fair; President Aliyev was elected with 76 percent of the vote in 2003 yet the international community judged Azerbaijan's election to be undemocratic. "We have hard feelings because of this kind of treatment," Mehdiyev said.

DOUBLE STANDARDS... WHAT ABOUT ARMENIA?

114. (C) Continuing on the theme of perceived U.S. double standards, Mehdiyev noted that Georgian President Saakashvili was re-elected this year with 52 percent of the vote and the international community again hailed the election as democratic. Mehdiyev said that the GOAJ supported Saakashvili and had mobilized the ethnic Azeri community in Georgia to support him in the election. Azerbaijan is happy that the U.S. and the international community positively assessed Georgia's election; "we want to have the same sort of reaction to Azerbaijan's election." Azerbaijan is the United States' strategic partner, and the U.S. should treat Azerbaijan as such. Mehdiyev noted that there are "critical, groundless" articles about Azerbaijan in the U.S. press; "we cannot understand why the U.S. press treats Azerbaijan this way."

115. (C) Armenia, Mehdiyev said, had "the most illegal, dirty elections in post-Soviet history" but OSCE observers said the elections were mostly in-line with international standards. Mehdiyev asserted that he could not find a single article in the Western press criticizing Armenian election fraud. The difference in U.S. treatment of Azerbaijan and Armenia "worries us," he said. The international community did not react strongly when Armenian authorities killed eight protesters and wounded hundreds in pre-election violence yet "every time there is any irregularity in Azerbaijan, the U.S. State Department issues a statement." Armenia is "literally

collapsing;" there is a state of emergency, several journalists were arrested, and the independent A-Plus television station is unable to operate. Mehdiyev asserted that none of these events were reported by the international press. He also asserted that the Armenian authorities conducted voting for the Republic of Armenia's presidential election in Nagorno Karabakh and that a detachment from NK was sent to Yerevan to disburse the opposition protesters.

¶16. (C) Mehdiyev again stated that Azerbaijan has a strong partnership with the U.S. and expects to be treated like a partner. He argued that Azerbaijan is still in a period of transition, with only ten years of real stability, independence and democratic progress under its belt. Azerbaijan will continue its long-term, gradual advancement toward democracy, in parallel with the sustainable development of its non-energy sector. Based on his discussion with the Ambassador, Mehdiyev said he felt confident that the U.S. evaluation of Azerbaijan's October election would be objective. "We'll make our best efforts to ensure free and fair elections," Mehdiyev said, "But we will do it our way. Neither Armenia nor Georgia is a model for Azerbaijan."

MEDIA ISSUES

¶17. (C) The Ambassador emphasized that Azerbaijan's media environment would be a key factor as the U.S. evaluated the October election. Noting that she had raised this issue on several different occasions with Mehdiyev, the Ambassador repeated the United States' long-standing suggestions on steps the GOAJ could take to improve the media environment: decriminalize libel, thoroughly investigate and prosecute cases of violence against journalists, and establish an alternate dispute resolution mechanism to resolve libel complaints. A series of recent Congressional visitors had cited the importance of President Aliyev's December pardon of five journalists imprisoned on criminal libel charges; it is important that other steps be taken to ensure journalists are not imprisoned for their work. The Ambassador added that the U.S. has increased its training of journalists, to help strengthen the professionalism of journalism in Azerbaijan.

¶18. (C) Underscoring the importance of a free media, the Ambassador told Mehdiyev that the U.S. hopes there would not be further problems in the media environment. Azadliq editor Ganimat Zahid face the possibility of five years in prison on assault charges; the Ambassador said she hoped the GOAJ could find an out-of-court solution that could avoid jail time for Zahid. She also raised the ongoing tax inspection of independent publishing house Chap Evi, urging the GOAJ to resolve the problem in a way that would avoid closure of the country's sole independent publishing house. Mehdiyev responded that he did not believe Chap Evi would be closed in the wake of the tax inspection. He said he had discussed the problem with MP Sabir Rustamkhanly (brother of Chap Evi owner Shabaz Khuduoglu, who reportedly acknowledged to Mehdiyev that Chap Evi had significant tax debt), and had assured Rustamkhanly that there "won't be a problem" if Chap Evi can resolve its debt. Mehdiyev said the Ministry of Taxation inspection was "routine" and that the GOAJ had "no intention" to close Chap Evi.

COMMENT

¶19. (C) The aim of this meeting with Mehdiyev was to lay out and underscore very clearly the elements we know will factor into our assessment of the election. This was a very positive, initial discussion of the political and technical issues the U.S. will consider as we assess the October presidential election. Mehdiyev stressed that he welcomed

the spirit of transparency and objectivity; we will need to keep that positive momentum going in order to ensure full GOAJ cooperation with the more politically sensitive aspects of our proposed assistance, notably the EMC PVT and the ENEMO mission. The DCM and AID will meet with Presidential Advisors Ali Hasanov, Shahin Aliyev and Fuad Alasgarov later this week to review the assistance in greater detail. The Ambassador also plans to have monthly meetings with Mehdiyev in the run-up to the election to ensure that channels of communication to the highest levels remain open and that any election-related issues can be quickly resolved.

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